

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

CIVIL ACTION No. 04-11934-GAO

NOAH GREENBERG,
Plaintiff

v.

TOWN OF FALMOUTH and
GANNETT FLEMING, INC.,
Defendants

**PLAINTIFF'S MOTION
FOR SUMMARY JUDGMENT**

Now comes the plaintiff in the above-captioned action, pursuant to Federal Rule of Civil Procedure 56, and hereby moves that this court enter judgment for the plaintiff as to liability on counts one and two of the Plaintiff's Complaint for Copyright Violation and Request for Trial by Jury.

In support hereof, the plaintiff states that the material facts in this matter are undisputed and the plaintiff is entitled to judgment on counts one and two as a matter of law.

The plaintiff refers this Court to the Plaintiff's Memorandum of Law in Support of Motion for Summary Judgment, submitted herewith.

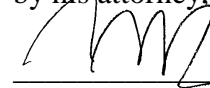
CERTIFICATE PURSUANT TO LOCAL RULE 7.1

I hereby certify that counsel in this action have met and corresponded on many occasions recently to address this dispute and counsel have acted in good faith and have been unable to resolve this dispute or to agree on any terms of judgment or summary judgment.

CERTIFICATE OF SERVICE

I hereby certify that the Plaintiff's Motion for Summary Judgment and all submissions therewith and attachments thereto filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies need not be sent because all parties are represented by registered participants.

Respectfully submitted,
the plaintiff,
Noah Greenberg,
by his attorney,



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Dated: January 17, 2006